

BROOKINGS COUNTY DEVELOPMENT DIRECTOR
BROOKINGS CITY & COUNTY GOVERNMENT CENTER
520 3rd Street, Suite 200
BROOKINGS, SOUTH DAKOTA 57006
(605)-696-8350
ROBERT W. HILL
TELEPHONE (605) 696-8350
FAX (605) 696-8355
E-MAIL: zoning@brookingscountysd.gov

March 5th, 2015 Minutes

Brookings County Planning & Zoning Commission
March 5th, 2015 – 7:00 P.M.
Brookings City & County Government Center
310 Chambers

Chair Robbins called the meeting to order at 7:00 P.M. Commission members present were: Lee Ann Pierce, Bob Rochel, Kimberly Elenkiwich, Darrell Nelson, Darrel Kleinjan, alternate Roger Erickson, Terrell Spence and Randy Jensen. Laurie Nichols arrived at a later time.

Chair Robbins read **agenda item # 1: Approval of Minutes from February 3rd, 2015 meeting.** Kim Elenkiwich moved to approve the minutes. Terrell Spence second. Chair Robbins opened for discussion and called for a voice vote. 9-ayes and 0-nays, motion carried.

Chair Robbin read **agenda item # 2: Items to be added to agenda by commission members or staff:** a) Mr. Hill added "Discussion on Lake Goldsmith" that he will do during his director's report.

Chair Robbins read **agenda item # 3: Invitation for citizen to schedule time on the commission agenda for an item not listed. Time limited to 5 minutes per person to address the board:** a) Kelen Bluedorn scheduled time to address the board.

Chair Robbins read **agenda item # 4: Approval of Agenda.** Darrell Nelson moved to approve the agenda. Darrel Kleinjan second. Chair Robbins called for a voice vote, 9-ayes and 0-nays. Motion carried.

Chair Robbins stated, "Agenda item # 5, has been withdrawn by the applicant." Mr. Hill stated, "The item was withdrawn by the applicant and he can reapply at a later date."

Chair Robbins stated, "We are now acting as the Brookings County Board of Adjustment", read the opening statement and **agenda item # 6. 2015var002: Reyna Martin has made an application, 2015var002, to the Brookings County Board of Adjustment for a variance. Article 11.00: Section 11.01 "A" Agricultural District: Area Regulation # 2: Front Yard: The minimum depth of the front yard shall be one hundred (100) feet. A corner lot will have two front yards. The property is described as: "E32 Rods & S62 Rods of W129**

Rods in SW1/4 of Section 26, T111N, R50W (Sterling Township).” ~~ 47040 207th St, Brookings, SD 57006 is the address. Bob Rochel moved to approve the variance request. Darrell Nelson second. Chair Robbins opened up for discussion and asked Ms. Thoreau for her staff report. Ms. Thoreau stated, “This is a after the fact variance, construction on the addition has already started. The applicant had come into the office and visited about the addition and was advised by staff of the consequences of starting to build without a building permit. There is existing landscaping between the house and the road. The addition will not be any closer to the road, a portion of the existing house is closer to the road than what the addition will be. The site plan shows underground utilities, a septic tank and drain field to the west of the house.” Chair Robbins asked Mrs. Martin to address the board. Mrs. Martin stated, “They started construction, went to get the building permit, then realized we had a problem and applied for a variance. The addition is 9’x10’ for a closet in the master bedroom. The septic system is on the west side of the house and utility lines are located there also, that kept us from adding onto the west side of the house. We thought we did not need a variance as the house was existing and the contractor did not make us aware a variance was needed.” Chair Robbins opened up for discussion from the public. There were no objections from the adjoining landowners. Chair Robbins closed the public portion and asked the board for further discussion, seeing none, he asked Ms. Thoreau to go over the Findings of Facts, which are on file. Chair Robbins called for a roll call vote: Pierce-aye, Rochel-aye, Elenkiwich-aye, Nelson-aye, Kleinjan-aye, Erickson-aye, Spence-aye, Jensen-aye and Robbins-aye. 9-ayes and 0-nays motion carried.

Chair Robbins stated “We are now acting as the Brooking County Planning and Zoning Commission”, read the opening statement and **agenda item # 7: 2015cu001: Robert Winter has made an application, 2015cu001, to the Brookings County Planning and Zoning Commission for a conditional use. Article 11: Section 11.01: “A” Agricultural District, Conditional Use # 4: “Sand, gravel or quarry operation, mineral exploration and extraction”. The property is described as: “SE1/4 Exc. H-3 & H-4 of Section 18, T109N, R49W(Trenton Township) ~~ 47280 SD Hwy 324, Brookings, SD 57006 is the address.** Darrel Kleinjan moved to approve the conditional use. Terrel Spence second. Chair Robbins opened up for discussion and asked Ms. Thoreau for her staff report. Ms. Thoreau stated, “This is an existing mining operation, the applicant is here to renew the mining operation as it was good for 10 years and will expire this year. Robert Winter has taken over the operation from the original applicant, Mr. Osbey. He plans to continue with the original site plan and having five, thirty five acre building lots when the mining is complete. There has been a history with poor weed control on the property over the years.” Chair Robbins asked Mr. Winter to address the board. Mr. Winter stated, “He has taken over the operation from Mr. Osbey, as he is poor health. He plans to use the same plan that Mr. Oseby was going to use, once the mining is done, have the existing homestead and four other 35 acre lots to build homes on. We have seeded down the west berm with alfalfa, so that should help with the weeds and plan to plant trees also.” Chair Robbins opened up for discussion from the audience. Mr. Kevin Telkamp, who lives across the road from the mining site, addressed the board with the weed problem he has

had and showed pictures he has taken over the years.” Staff read statements from adjoining landowners, Doug Vockrodt and Barbarba Wegleitner, who have no objections, Leona Telkamp called to see what the conditional uses were for. Kevin Telkamp read a letter from Randy Telkamp, which is on file, with his concerns on the mining operation. Chair Robbins closed the public comments. The board discussed the weed issue over the years, planting of trees and better weed control and renewing this conditional use for two years to see how the operation is going. Then if things are going well, weed controlled, berms seeded, etc, then apply to renew it for a longer period of time. Chair Robbins asked Ms. Thoreau to go over the Findings of Facts, which are on file. Chair Robbins called for a roll call vote: Rochel-aye, Elenkiwich-aye, Nelson-aye, Kleinjan-aye, Erickson-aye, Spence-aye, Jensen-aye, Pierce-aye and Robbins-aye. 9-ayes and 0-nays, motion carried.

Chair Robbins read **agenda item # 8: 2015cu002: Robert Winter has made an application, 2015cu002, to the Brookings County Planning and Zoning Commission for a conditional use. Article 11: Section 11.01: “A” Agricultural District, Conditional Use # 5A: “Rock crushers”. The property is described as: “SE1/4 Exc. H-3 & H-4 of Section 18, T109N, R49W(Trenton Township) ~ 47280 SD Hwy 324, Brookings, SD 57006 is the address.** Bob Rochel moved to approve the conditional use. Darrel Kleinjan second. Chair Robbins opened up for discussion and asked Ms. Thoreau for her staff report. Ms.Thoreau stated “This is for a crushing permit for the same site as the mining operation we just heard. This will allow them to process the gravel.” Chair Robbins asked Mr. Winter to address the board. Mr. Winter stated “They plan to crush once a year in the spring for six to eight weeks.” Chair Robbins opened up for discussion from the audience, seeing none, he asked for further discussion from the board. Chair Robbins asked Ms. Thoreau to go over the Findings of Facts, which are on file. Chair Robbins called for a roll call vote: Elenkiwich-aye, Nelson-aye, Kleinjan-aye, Erickson-aye, Spence-aye, Jensen-aye, Pierce-aye, Rochel-aye and Robbins-aye. 9-ayes and 0-nays, motion carried.

Chair Robbins read **agenda item # 3: Invitation for citizen to schedule time on the commission agenda for an item not listed. Time limited to 5 minutes per person to address the board. a) Kelen Bluedorn.** Chair Robbins asked Mr. Bluedorn to address the board at this time. Mr. Bluedorn stated, “He is representing S&W Construction. Gary Sepennan just purchased a 20 acre building site, wondering if they could plat off 5 acres with the house, for an employee to purchase and then build a shop on the balance of the 15 acres to store their construction equipment, he has a concrete business. I was in the office, visited with staff. They advised that he would have to apply for a conditional use for a contractor’s yard and invited me to the meeting to discuss this with you for your thoughts on it.” Mr. Hill stated “There could not be a house built on the remaining 15 acres.” The board discuss and advised him work with the staff on this and to talk to the township board for their thoughts on it also.

Chair Robbins read **agenda item # 9: Consideration of Plats**

a. 2015plat004: “Plat of Prunty First Addition, in the NE1/4 of the SE1/4 of Section 36, T109N, R51W of the 5th P.M., Brookings County, South Dakota.” Kim Elenkiwich moved to approve the plat. Bob Rochel second. Chair

Robbins opened up for discussion and asked Ms. Thoreau for her staff report. Ms. Thoreau stated, "They are platting off an existing 2.8 acre building site off of a 40 acre parcel. The road shifts at an angle as it is on the county line." Chair Robbins opened up for discussion from the audience, seeing none, he called for a roll call vote: Nelson-aye, Kleinjan-aye, Erickson-aye, Spence-aye, Jensen-aye, Pierce-aye, Rochel-aye, Elenkiwich-aye and Robbins-aye. 9-ayes and 0-nays, motion carried.

Chair Robbins read **agenda item # 10: Department Reports.** Chair Robbins asked Mr. Hill for his staff report. Mr. Hill went over an informational proposed development at Lake Goldsmith to advise the board what he knew about it. Went over the history the board has of keeping it natural resources and lake park rezoning has been denied. The applicants went to the City of Volga with it and in the Volga City Minutes, they want development in the city, not outside the city. He advised the owner's they would have to rezone from agricultural to Lake Park and from Natural Resources to Lake Park. The land is currently zoned agricultural and natural resources. As of this time no rezoning request has been turned in. Bob Rochel invited Todd Rose to address the board on this at this time. Mr. Rose stated "He is a resident of Lake Goldsmith and came to see what was going on with the Lake Goldsmith deal. Hopefully this never even comes here and won't have to deal with it. He applied for a variance to build closer to Lake Goldsmith but it was denied by this board. He is glad it was denied. He likes where he is at."

Buffalo Ridge II, we permitted an Operation and Maintenance Site, but did not make them rezone to commercial. Now they are wondering if they can split the lot where the O & M site is, have one building for Buffalo Ridge II and have the other building and separate it off to a subsidiary of Iberdrola. If they sell it to new company, they would have to apply for a new conditional use permit for the use. Buffalo Ridge II was permitted under the wind farm conditional use permit. If they keep under Iberdrola and split off the other building, they may have to apply for a conditional use new use of the building. They want to use the other building to supply parts for the all the different makes of wind turbines in one location.

Myself, Ms. Pierce, Mr. Robbins and Ms. Elenkiwich met with the city comprehensive plan committee and discussed the joint jurisdiction area. Discussed things that we had brought up in the joint jurisdiction area discussion with the city planning board. The key things are if they have something zoned residential we want them take over the nuisances, 2) if building a residence, they need to follow the city drainage ordinance and 3) if they want to construct a development using the same standards as a city development, so when it comes time to annex, it goes smoothly. We will always have ag in the joint jurisdiction area. The March 20th comp plan work session has been changed from a work session to a special meeting to hear plats on the 34th Ave project.

Bob Rochel asked Mr. Hill "If he has heard anything on "If we postpone an item indefinitely, if it takes 6 months to reapply?" Mr. Hill replied "We had the applicant withdraw the item, by the time we went to get an answer. But we can check on it for the future."

Mr. Hill stated, "The deputy states attorney will meet with the board in executive session at the April 7th, meeting to discuss legal matters."

Chair Robbins adjourned the meeting 9:13 PM.

Richard Haugen
Brookings County
Development Department.